



Express Mail No.:  
POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: MAO MAO

Confirmation No.: 5764

Serial No.: 10/848,755

Group Art Unit: 1646

Filed: May 18, 2004

Examiner: To be assigned

For: HUMAN DIAPHANOUS-3 GENE  
AND METHODS OF USE  
THEREFOR

Attorney Docket: 9301-196-999  
(CAM:) (301891-999188)

REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Rosetta Inpharmatics LLC hereby revokes any and all previous powers and appoints:

☒ Practitioners at Customer Number **20583**

as its attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above mentioned Customer Number.

☒ Practitioners at Customer Number **20583**

☒ Firm or Individual Name:

Address: **Jones Day**  
**222 East 41<sup>st</sup> Street**  
**New York, New York 10017**

Telephone: **(212) 901-9028**

Statement Under 37 C.F.R. 3.73(b)

Rosetta Inpharmatics LLC states that it is:

- ☒ the assignee of the entire right, title, and interest; or  
☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of:

- ☒ An assignment From Mao Mao, inventor(s) of the patent application/patent identified above, To: **Rosetta Inpharmatics LLC**, a copy of which is attached hereto.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ Copies of assignments or other documents in the chain of title are attached.  
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

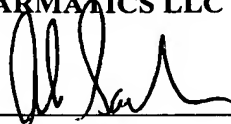
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

**ASSIGNEE: ROSETTA INPHARMATICS LLC**

Date:

10/6/04

Signature:



Typed Name:

Alan B. Sachs, M.D., Ph.D.

Position/Title:

Vice President, MRL and Site-Head

Rosetta Inpharmatics LLC  
401 Terry Avenue North  
Seattle, Washington 98109

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

## ASSIGNMENT

WHEREAS, I, MAO MAO, ASSIGNOR, citizen of The People's Republic of China, residing at 17630 NE 129th Pl., Redmond, Washington 98052, am the inventor of the invention in HUMAN DIAPHANOUS-3 GENE AND METHODS OF USE THEREFOR for which I have executed an application for a Patent of the United States

- ☐ which is executed on ☐ even date herewith or ☐  
☒ which is identified by Jones Day docket no. 9301-196-999  
☒ which was filed on May 18, 2004, Application No. 10/848,755

and WHEREAS, ROSETTA INPHARMATICS LLC, a limited liability company organized and existing under the laws of the state of Delaware, and having an office for the transaction of business at 401 Terry Avenue North, Seattle, Washington 98109, ASSIGNEE, is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner for Patents and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 6<sup>th</sup> day of Oct., 2004.

MAO MAO L.S.  
MAO MAO

State of Washington )  
County of King ) SS.:

On Oct 6, 2004, before me, Cheryl J Brass, Notary Public, personally appeared MAO MAO, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Cheryl J Brass  
(my appointment expires 09-28-07)

